City of Newburgh Council Work Session

May 8, 2014

6:00 p.m.

AGENDA

1. Economic and Community Development/Real Estate:

   a. There will be a public hearing on the revised Chapter 300 "Zoning" of the Code of the City of Newburgh on Monday May 12.
   b. (Res. 116) Appointments to the Housing Loan Committee
   c. Main Street Design Guidelines
   d. Project Safe Neighborhoods
   e. West Street update – Ian MacDougall
   f. DOT Funding: Transportation Improvement Plan
   g. Requests to purchase City owned properties
   h. (Res. 117) Release of Restrictive Covenants – 350 Water Street, Unit 7-9

2. Engineering:

   a. Sewer Rate Forecasting presentation by Malcolm Pirnie as it relates to the Long Term Control Plan
   b. Ty Crabb Park project bid results
   c. (Res. 118) State Environmental Quality Review Act for the West Trunk Line Sewer Corridor Improvements Project
   d. (Res. 119) Accepting the Northeast Orange County Water Supply Project Facility Plan
   e. (Res. 120) Accepting a proposal from Barton and Loguidice, P.C. in the amount of $26,280.00 for additional engineering services related to the water storage tank project
   f. (Res. 121) Authorizing an amendment to the Street Lighting Authority in support of the East Parmenter Street project.

3. Finance:

   a. (Res. 122) Amending the 2014 Budget and Personnel Book in order to transfer titles within the Recreation Department.
   b. (Res. 123) Parking Meter Coin Collection Policy

4. Discussion Items:

   a. (Res. 124) Supporting the "Abandoned Property Neighborhood Relief Act 2014"

b. (Res. 125) Requiring Apprenticeship Training Programs for public construction projects awarded by the City

5. Executive Session:

a. Pending Litigation

RESOLUTION NO.: 116 - 2014

OF

MAY 12, 2014

A RESOLUTION RE-APPOINTING SCOTT WALLINGFORD AND EILEEN CLIFFORD AND APPOINTING TIMOTHY BARDIN TO THE CITY OF NEWBURGH HOUSING LOAN ADVISORY COMMITTEE

WHEREAS, the City Council, by Resolution No.: 149-2009 of September 14, 2009, appointed members to the newly created City of Newburgh Housing Loan Advisory Committee; and

WHEREAS, such Committee was established with membership to consist of the following:

Two as banking representatives;
Two as not-for-profit and/or real estate representatives;
One as a community representative; and

WHEREAS, the terms of Scott Wallingford and Eileen Clifford have expired and they have expressed interest in continuing to serve on the City of Newburgh Housing Loan Advisory Committee; and

WHEREAS, there is currently a vacancy on said Committee; and

WHEREAS, Timothy Bardin has expressed his interest in serving as a member of the Committee; and

WHEREAS, this Council has determined that it is in the best interests of the City of Newburgh to re-appoint those members whose terms have expired and to fill such vacancy;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that Scott Wallingford as a banking representative and Eileen Clifford as a not-for-profit representative be and are hereby re-appointed to the City of Newburgh Housing Loan Advisory Committee for a term of two (2) years; and

BE IT FURTHER RESOLVED, that Timothy Bardin be and is hereby appointed as a banking representative member of the City of Newburgh Housing Loan Advisory Committee for a term of two (2) years.

RESOLUTION NO.: 117 -2014

OF

MAY 12, 2014

A RESOLUTION AUTHORIZING THE EXECUTION
OF A RELEASE OF RESTRICTIVE COVENANTS AND RIGHT OF RE-ENTRY
FROM A DEED ISSUED TO SHANE GARZIONE AND ROLAND BLOOMER
TO THE PREMISES KNOWN AS 350 WATER STREET, UNIT 7-9
(SECTION 55, BLOCK 1, LOT 1.-37)

WHEREAS, on April 30, 2014, the City of Newburgh conveyed property located at 350 Water Street, Unit 7-9, being more accurately described on the official Tax Map of the City of Newburgh as Section 55, Block 1, Lot 1.-37, to Shane Garzione and Roland Bloomer; and

WHEREAS, the current owners, by their attorney, have requested a release of the restrictive covenants contained in said deed; and

WHEREAS, the appropriate departments have reviewed their files and advised that the covenants have been complied with, and recommends such release be granted; and

WHEREAS, this Council believes it is in the best interest of the City of Newburgh to grant such request;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Interim City Manager be and he is hereby authorized to execute the release, annexed hereto and made a part of this resolution, of restrictive covenants numbered 1, 2, 3, 4 and 5 of the aforementioned deed.

RELEASE OF COVENANTS AND RIGHT OF RE-ENTRY

KNOWN ALL PERSONS BY THESE PRESENTS, that the City of Newburgh, a municipal corporation organized and existing under the Laws of the State of New York, and having its principal office at City Hall, 83 Broadway, Newburgh, New York 12550, in consideration of TEN ($10.00) DOLLARS lawful money of the United States and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby release and forever quitclaim the premises described as 350 Water Street, Unit 7-9, Section 55, Block 1, Lot 1.-37, on the Official Tax Map of the City of Newburgh, from those restrictive covenants numbered 1, 2, 3, 4 and 5 in a deed dated April 30, 2014, from the CITY OF NEWBURGH to SHANE GARZIONE and ROLAND BLOOMER, recorded in the Orange County Clerk's Office on _____, in Liber _____ of Deeds at Page _____ and does further release said premises from the right of re-entry reserved in favor of the City of Newburgh as set forth in said deed.

Dated: _____, 2014

THE CITY OF NEWBURGH

By: _____

JAMES A. SLAUGHTER,
Interim City Manager

STATE OF NEW YORK)
)ss.:
COUNTY OF ORANGE)

On the _____ day of August in the year 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared JAMES A. SLAUGHTER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted; executed the instrument.

_____

RESOLUTION NO.: 118 - 2014

OF

MAY 12, 2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH ASSUMING LEAD AGENCY STATUS UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR THE WEST TRUNKLINE SEWER CORRIDOR IMPROVEMENTS AND ACCEPTING PART 1 OF THE FULL ENVIRONMENTAL ASSESSMENT FORM

WHEREAS, the West Trunkline Sewer Corridor Improvements Project (Project) includes the following:

- cleaning and performing closed-caption televised inspections of the 54-inch West Trunkline Sewer, and 36-inch Southern Interceptor Sewer in order to evaluate the condition of and identify improvements to these sewers
- improvements may include rehabilitation of sewer sections via installation of cured-in-place pipe (CIPP) lining system and repair or replacement of sewer sections too severely deteriorated to be repaired by CIPP
- installation of manhole structures, as well as clearing and grubbing to allow for construction of new access pathway to facilitate future access to and maintenance of the sewers; and

WHEREAS, in addition to the sewer rehabilitation, stabilization and realignment of the Quassaick Creek is proposed to protect the West Trunkline Sewer from future failures as follows:

- Quassaick Creek will be realigned south of its existing channel
- Holden Dam will also be partially breached
- Additional stabilization and restoration of the Creek is proposed downstream of the rechannelization; and

WHEREAS, the Project is an "action" as defined by the State Environmental Quality Review Act (SEQRA); and

WHEREAS, in compliance with SEQRA, by Resolution No.: 53-2014 of March 10, 2014, this Council declared its intent to assume Lead Agency status for the environmental review of the action pursuant to 6 NYCRR 617.6 and authorized the Interim City Manager and the City's Engineer to circulate said Long Environmental Assessment Form to the following "Involved Agencies" and "Interested Agencies" under cover of the attached "Notice of Intent to Establish Lead Agency" letter for purposes of establishing Lead Agency status under SEQRA/SERP; and

WHEREAS, more than 30 days have elapsed since the Long Environmental Assessment Form was circulated to the Involved and Interested Agencies without opposition to the City's declaration of its intent to be lead agency for the Project; and

WHEREAS, this Council finds it necessary, appropriate and in the best interests of the City of Newburgh to advance the Project by assuming Lead Agency status for the environmental review of the Project pursuant to SEQRA/SERP;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York as follows:

1. That the City Council of the City of Newburgh hereby assumes Lead Agency status for the environmental review of the action pursuant to 6 NYCRR 617.6; and
2. That this Council duly accepts Part 1 of the Long Environmental Assessment Form.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows;

Judy Kennedy	Mayor	Voted	Yes/No
Genie Abrams	City Council Member	Voted	Yes/No
Regina Angelo	City Council Member	Voted	Yes/No
Cedric Brown	City Council Member	Voted	Yes/No
Cindy Holmes	City Council Member	Voted	Yes/No
Gay Lee	City Council Member	Voted	Yes/No
Karen Mejia	City Council Member	Voted	Yes/No

The foregoing resolution was thereupon declared duly adopted.

Dated:_____

I hereby certify that this resolution was adopted on _____ and is recorded in the City of Newburgh Minute Book of the Mayor and City Council.

_____
Lorene Vitek
City of Newburgh, City Clerk

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: West Trunkline Sewer Corridor Improvements Project		
Project Location (describe, and attach a general location map): Quassaick Creek which runs along the municipal boundary between the City of Newburgh and the Town of New Windsor, Orange County. West Trunkline Sewer along the north bank of Quassaick Creek from Walsh Rd/Dickson St eastward to the Water Pollution Control Plant.		
Brief Description of Proposed Action (include purpose or need): **See Maps Attached** Provided below is a description of the proposed sewer improvements: Clearing and grubbing along the 54" West Trunkline Sewer, 36" & 42" Southern Interceptor Sewer, and 60" Combined Sewer Overflow (CSO). Cleaning and Closed Circuit Televised Inspection of these sewer sections, as well as the 36" Gravity Sewers Mill St and Robinson Ave. Rehabilitation to the aforementioned sewer sections may include replacement, spot repairs, and installation of cured-in-place pipe lining. Additionally, proposed manholes and a proposed access pathway will facilitate access and maintenance to the sewers. Provided below is a description of the Quassaick Creek stream restoration efforts: Proposed partial breach of Holden Dam and realignment of approximately 1,200 feet of the stream to facilitate reestablishment of a stable stream channel through the area. The realigned stream would eliminate the impounded waters behind the Dam and relocate the current stream channel away from the West Trunkline sewer. The realigned stream will provide additional protection through reduced streamflow velocities through the corridor. Additional channel and bank stabilization along approximately 1,700 feet the Creek channel downstream of the proposed channel tie-in.		
Name of Applicant/Sponsor: CITY OF NEWBURGH - JAMES SLAUGHTER, INTERIM CITY MANAGER	Telephone: (845) 569-7301 E-Mail: JSlaughter@cityofnewburgh-ny.gov	
Address: 83 BROADWAY		
City/PO: NEWBURGH	State: NY	Zip Code: 12550
Project Contact (if not same as sponsor; give name and title/role): JASON MORRIS - CITY ENGINEER, Primary Contact	Telephone: (845)-569-7447 E-Mail: JMorris@cityofnewburgh-ny.gov	
Address: 83 BROADWAY		
City/PO: NEWBURGH	State: NY	Zip Code: 12550
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.) For Required Approval(s) Please See Attached Sheet		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Council, Town Board, or Village Board of Trustees ☑Yes☐No	City of Newburgh	October 2012, October 2013
b. City, Town or Village Planning Board or Commission ☐Yes☑No		
c. City Council, Town or Village Zoning Board of Appeals ☑Yes☐No	City of Newburgh, Town of New Windsor	Spring/Summer 2014 (Sewer), Fall 2014/Winter 2015 (Stream)
d. Other local agencies ☐Yes☑No		
e. County agencies ☐Yes☑No		
f. Regional agencies ☑Yes☐No	CSX Transportation, Inc.	November 2013
g. State agencies ☑Yes☐No	NYSDOT, NYSEFC, NYSDEC, NYSDOS	Spring/Summer 2014, Fall 2014/Winter 2015 (Stream)
h. Federal agencies ☑Yes☐No	Army Corps of Engineers, US Fish and Wildlife	Spring/Summer 2014 (Sewer), Fall 2014/Winter 2015 (Stream)

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):

Remediation Sites: 336036 (american Felt and Filter), E336075 (Orange County Parcel)
Quassaick Creek Watershed Management Plan (DRAFT), Hudson River Valley Greenway, City of Newburgh Future Land Use Plan (2011), Mid-Hudson Regional Sustainability Plan (2013), New York State Open Space Conservation Plan (2009), Statewide Comprehensive Outdoor Recreational Plan (2009)

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☑Yes☐No

If Yes, identify the plan(s):

Orange County Open Space Plan (2004)

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
I-1 (Heavy Commercial, Light Industrial), W-2 (Waterfront Industrial)

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Newburgh Enlarged City School District

b. What police or other public protection forces serve the project site?
City of Newburgh Police Department

c. Which fire protection and emergency medical services serve the project site?
City of Newburgh Fire Department, Newburgh Volunteer Ambulance

d. What parks serve the project site?
Parks contiguous to the project site include Delano-Hitch Park, Aquatic Center, Hasbrouck Street Park, and Xavier Lunan Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Utilities Rehabilitation, Public Access, Stream Relocation

b. a. Total acreage of the site of the proposed action? 48.84 acres
b. Total acreage to be physically disturbed? 10 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 8.03 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☑ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated 2
- Anticipated commencement date of phase 1 (including demolition) Aug month 2014 year
- Anticipated completion date of final phase Oct month 2015 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

The project is split into two phases: sewer and stream. The sewer component is anticipated to begin in Summer of 2014 and will be completed independently of the stream phase. The stream phase of work is anticipated to begin in the Spring of 2015

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☑No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☑Yes ☐No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? Sewer repairs and installation of manholes, relocation and stabilization of Quassaick Creek

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): 3,500 CY
- Over what duration of time? Two Years; August 2014 thru October 2015, as previously indicated

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

Excavated/Dredged materials are proposed to be reused onsite where possible. Materials to be removed and disposed of offsite include suspected contaminated sediment impounded by Holden Dam, as well as existing concrete building foundation along Creek realignment.

iv. Will there be onsite dewatering or processing of excavated materials? ☑Yes ☐No

If yes, describe. Dewatering and processing of excavated materials will be necessary during the removal of any conaminated sediments at the foot of Holden Dam.

v. What is the total area to be dredged or excavated? 1.0 acres

vi. What is the maximum area to be worked at any one time? 2.25 acres

vii. What would be the maximum depth of excavation or dredging? 16 feet

viii. Will the excavation require blasting? ☐Yes ☑No

ix. Summarize site reclamation goals and plan:

Rechannelization of the Quassaick Creek will infill the existing channel with the excavated materials for the proposed channel where possible. If sediment sampling confirms the presence of contaminants, the dredged sediment will be legally disposed of offsite. It is anticipated that all excavated materials for the sewer rehabilitation will be reused onsite. Floodplain revegetation, and seeding of disturbed access ways will be implemented during restoration.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☑Yes ☐No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): As part of the project scope, portions of the Quassaick Creek will be relocated south, away from the West Trunkline Sewer. Holden Pond, which will decrease in size as a consequence of breaching Holden Dam, is identified as Freshwater Pond Wetland by the USFWS National Wetlands Inventory.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

Quassaick Creek and Holden Pond will be altered due to excavation, fill, and alteration of channels, banks, and shorelines. Holden Pond will be partially removed due to the partial breach of Holden Dam. The proposed improvements will marginally change the total water surface area within the project corridor. Natural channel restoration methods will be used to stabilize the realigned portions of the Creek and adjacent floodplain, eliminating the existing channelized nature of the stream.

iii. Will proposed action cause or result in disturbance to bottom sediments? ☑ Yes ☐ No

If Yes, describe: Disturbances are due to dredging and excavation for new channel, as well as stream stabilization and sediment removal.

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☑ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance:

Realignment of Quassaick Creek through new channel

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☑ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☑ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☐Yes☐No
- Will line extension within an existing district be necessary to serve the project? ☐Yes☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

300 Square feet or _____ acres (impervious surface)

_____ Square feet or 10 acres (parcel size)

ii. Describe types of new point sources. Proposed culverts will be used to convey stormwater

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Sotrmwater runoff is proposed to be directed to on-site stormwater management facilities

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☑Yes☐No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Heavy equipment (e.g., excavators) will be utilized during construction. There will be no mobile sources of air emissions after construction completion.

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 6 AM - 8PM
- Saturday: 6 AM - 8PM
- Sunday: 6 AM - 8PM
- Holidays: 6 AM - 8PM

ii. During Operations: Sewer and Creek

- Monday - Friday: 24 hr/day
- Saturday: 24 hr/day
- Sunday: 24 hr/day
- Holidays: 24 hr/day

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

During planned construction, previously indicated between August 2014 and October 2015, noise levels will increase due to construction activities approximately 5 days per week, 14 hours per day.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☑ Yes ☐ No

Describe: Clearing and grubbing for the sewer easement and new stream channel will remove existing vegetation. However, the project site is densely vegetated making it unlikely that the removal of vegetation will have any deleterious effects on existing noise barriers.

n.. Will the proposed action have outdoor lighting? ☐ Yes ☑ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☑ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☑ Urban ☑ Industrial ☑ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☑ Forest ☐ Agriculture ☑ Aquatic ☑ Other (specify): Utilities

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.0	0.0	0.0
• Forested	8.7	7.7	-1.0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.0	1.2	+1.2
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0.0	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	1	1.1	+0.1
• Wetlands (freshwater or tidal)	0.1	0.0	-0.1
• Non-vegetated (bare rock, earth or fill)	0.0	0.0	0.0
• Other Describe: Existing Concrete Building Foundation	0.2	0.0	-0.2

c. Is the project site presently used by members of the community for public recreation? ☐Yes☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes☐No

If Yes,

i. Identify Facilities:

South Junior High School, Nora Cronin Presentation Academy, St. Francis of Assisi Elementary School, Liberty Street School, Healthy Kids Before/After School Program (New Windsor), Greater Hudson Valley Family Health Center, Newburgh Armory

e. Does the project site contain an existing dam? ☑Yes☐No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: 12 feet
- Dam length: 100 feet
- Surface area: 1 acres
- Volume impounded: 3 gallons OR acre-feet

ii. Dam's existing hazard classification: A

iii. Provide date and summarize results of last inspection:

7/20/2010, Data taken from NYSDEC Dam Inventory for Holden Dam (ID: 195-0535B) updated 7/6/2009; Inspection Results: Debris in spillway, voids and cracks in left crest of spillway, and undesireable growth on either side of the abutments. Project scope proposes a partial breach of Holden Dam.

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☑No

If Yes:

i. Has the facility been formally closed? ☐Yes☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☑Yes☐No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

The proposed Creek rechannelization transects a parcel (City of New Windor, Orange County SBL: 9-1-65) which was a paper mill during the late 18th and early 19th centuries. An 1884 Sanborn Map identifies a Bleach House as part of the facility. A 1913 Sanborn Map shows sulfuric acid storage onsite.

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑Yes☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑Yes☐No

☑ Yes – Spills Incidents database — Provide DEC ID number(s): 1206663 (Sewer Failure 10/12, Closed)

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑Yes☐No

If yes, provide DEC ID number(s): 336042, 336031, 1206663, B00127, B00188, 546031, 336077

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

336036 (Remedial Design), E336075 (ERP), 336055 (Remedial Design), 336042 (Remedial Action), 336031 (Site Characterization), 1206663 (Closed), B00127 (Remedial Action), B00188 (Remedial Design), 546031 (Remedial Action), 336077 (Potential Registry)

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☑No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 1.5 to >6.6 feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

HoB	36.2 %
MdB	33.4 %
W	11.0 %

d. What is the average depth to the water table on the project site? Average: 0 to >6.6 feet

e. Drainage status of project site soils:
☑ Well Drained: 39.3 % of site
☑ Moderately Well Drained: 42.4 % of site
☐ Poorly Drained ____ % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 50.3 % of site
☑ 10-15%: 0.5 % of site
☑ 15% or greater: 23.3 % of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Quassaick Creek Classification C, C
- Lakes or Ponds: Name Holden Pond Classification N/A
- Wetlands: Name Holden Pond (Freshwater Pond Wetland) Approximate Size 3 acre-feet
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☑Yes ☐No

j. Is the project site in the 100 year Floodplain? ☑Yes ☐No

k. Is the project site in the 500 year Floodplain? ☑Yes ☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑Yes ☐No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: Wood Turtle, Painted Turtle, etc.

Eastern Gray Squirrel, Eastern Cottontail | Northern Water Snake, Pickerel Frog
Common Snapping Turtle, Green Frog | White-tailed Deer, Eastern Chipmunk

Source: Assessment of Waterbodies and Watershed Resources (2012)

n. Does the project site contain a designated significant natural community? ☐Yes ☑No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐No

According to USFWS Orange County, NY is listed as potentially supporting the following species (not confirmed on project site): Dwarf Wedgemussel (Alasmidonta heterodon), Bog Turtle (Clemmys muhlenburgii), Indiana Bat (Myotis sodalis), Small Whorled Pogonia (Isotria medeoloides) -- All sites within NY State have been extirpated (Small Whorled Pogonia Recovery Plan, 1992), Woodland Agrimony (Agrimonia striata)

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii. Name: East End Historic District

iii. Brief description of attributes on which listing is based:

The site's proximity to the New York State Armory (approx 1,500 ft) and Washington's Headquarters (approx. 2,500 ft from project site)

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Washington's Headquarters (0.5 miles), Hudson River (0.1 miles)

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Revolutionary War Heritage Trail

iii. Distance between project and resource: See above miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

PRINT FORM

Required Approvals for West Trunkline Sewer Corridor Improvements Project

Agency	Required Approval
City of Newburgh	Council Approval
Newburgh City Council Zoning Board of Appeals	Council Approval
New Windsor Town Zoning Board of Appeals	Board Approval
CSX Transportation, Inc.	Right of Entry/Maintenance Agreement
New York State Department of Transportation	Highway Work Permit (Utility)
New York State Environmental Facilities Corporation	Approval for Wastewater Improvements
New York State Department of Environmental Conservation	Water Quality Permit, Freshwater Wetlands Permit
New York State Department of State	Coordination Letter
Army Corps of Engineers	Nationwide Permit #27
United States Fish and Wildlife Service	Declaration of No Impact

RESOLUTION NO.: 119 - 2014

OF

MAY 12, 2014

A RESOLUTION ACCEPTING THE NORTHEAST ORANGE COUNTY WATER SUPPLY PROJECT FACILITY PLAN

WHEREAS, in November 2010, the Orange County Water Authority (the "OCWA") completed the Northeast Orange County Water Supply Feasibility Study (the "Feasibility Study") which addressed the future water resource needs of the Towns of Newburgh and New Windsor and the City of Newburgh (the "Municipalities") and evaluated the feasibility of constructing a regional water treatment facility that would serve each of the three municipalities; and

WHEREAS, by Resolution No. 263-2010 of November 22, 2010, the City Council of the City of Newburgh authorized participation in a joint grant application with the Orange County Water Authority and the Towns Newburgh and New Windsor seeking funding for a regional water project and declared its intention to enter into inter-municipal agreements in connection with the project; and

WHEREAS, in July 2012, the OCWA was awarded a New York State Department of State Local Government Efficiency Grant to fund the Northeast Orange County Water Supply Implementation Project (the "Project") for the purpose of refining and evaluating the financial and technical details associated with the water supply alternative identified in the Feasibility Study and to select a preferred regional water supply alternative and develop a facility plan that meets the parties' requirements and provides the basis for inter-municipal agreements; and

WHEREAS, by Resolution No. 136-2012 of August 13, 2012, the City Council of the City of Newburgh declared its support for the implementation of the grant procured by the OCWA; authorized the City Manager to identify a representative who will attend project working group meetings, as well as share data, documents, and drawings with the consultants implementing the grant; agreed to work with the other Municipalities to enter inter-municipal agreements detailing the terms and conditions of water sharing; and declared its support of the efforts of the County of Orange in advancing the design of the priority interconnection projects and securing funds from the NYCDEP to design and build the priority projects; and

WHEREAS, the OCWA and its consultants have completed a report that includes investigation and review of the options for supplemental water supply to the region; the development of a facility plan for optimal water supply interconnections to improve overall system

reliability within the region and the establishment of an institutional framework to facilitate the implementation of an overall regional water supply plan; and

WHEREAS, the City of Newburgh recognizes and appreciates the need to develop a safe, reliable and adequate water supply to serve the inhabitants of the Northeast Orange County region now and for the foreseeable future;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newburgh hereby reaffirms its commitment to OCWA, the Municipalities and to the Project and adopts the findings, conclusions and recommendations of the Northeast Orange County Water Supply Project Facility Plan dated April 2014.

RESOLUTION NO.: 120 - 2014

OF

MAY 12, 2014

A RESOLUTION ACCEPTING A PROPOSAL AND AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH BARTON AND LOGUIDICE, P.C. IN THE AMOUNT OF $26,280.00 FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE REPAIR OR REPLACEMENT OF THE CITY OF NEWBURGH WATER STORAGE TANKS

WHEREAS, by Resolution No. 252 -2011 of December 12, 2011, the City of Newburgh through a competitive process in which proposals for professional engineering services were solicited, reviewed and evaluated, the City Council authorized the City Manager to execute a contract with Barton and Loguidice, P.C., for professional services in connection with the repair or replacement of the City of Newburgh Water Storage Tanks; and

WHEREAS, by Resolution No. 144-2013 of July 15, 2013, the City Council of the City of Newburgh awarded a bid to and authorized the execution of a contract with DN Tanks, Inc. for the replacement of the Marne Avenue Water Storage Tank; and

WHEREAS, by Resolution No.: 27-2014 of February 10, 2014, this Council authorized a no-cost change order to the construction contract for the replacement of the Marne Avenue Water Storage Tank and an extension of time for the final completion of construction contract with DN Tanks Inc.; and

WHEREAS, Barton and Loguidice has submitted a proposal, a copy of which is annexed hereto, for additional engineering services related to the construction phase of the replacement of the Marne Avenue Water Storage Tank and the design and contract administration phase of the repair of the Ellis and Brady Avenue Water Storage Tanks in the amount of $26,280.00; and

WHEREAS, funding for said additional services in the amount of $26,280.00 shall be derived from HF1.8340.0200.8300.0000; and

WHEREAS, this Council has determined that accepting the proposal and authorizing the execution of an amendment to the contract with Barton & Loguidice, P.C. is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the proposal for additional engineering services with Barton and Loguidice, P.C. is accepted and the Interim City Manager is authorized to execute an amendment to the contract with Barton and Loguidice, P.C., in the amount of $26,280.00 for additional professional engineering services in connection with the repair or replacement of the City of Newburgh Water Storage Tanks.

Barton & Loguidice
Engineers • Environmental Scientists • Planners • Landscape Architects
Celebrating over 50 years of service

April 24, 2014

Mr. Jason Morris, P.E.
City Engineer
City of Newburgh
83 Broadway, 3rd Floor
Newburgh, New York 12550

RE: Proposal for Additional Engineering Services
Water Storage Tank Improvements Project
City of Newburgh, Orange County, New York

File: 1352.002

Dear Mr. Morris:

As you are aware, the City Council authorized Barton & Loguidice, D.P.C. (B&L) to proceed with the replacement of the Marne Avenue Water Storage Tank in lieu of the repair and repainting of the existing Tank. At the request of the City, B&L issued a Notice to Proceed on August 12, 2013. The City authorized a no cost extension to DN Tanks on February 10, 2014 to extend the contract to the end of May. This extended the Construction Contract from 18 weeks to 42 weeks.

As a result of our efforts onsite, we are projecting a cost savings to the City of over $170,000 due to our oversight on the project. Despite our best efforts to minimize the amount of time spent onsite, i.e. only being onsite while piping was to be installed and backfilled, or to perform critical inspections; due to the protracted project schedule, the Construction Phase Services budget has been exhausted. Within our proposal, we assumed a total of 20-weeks for the construction duration. The construction of the tank was completed on November 21, 2013, a total of 15 weeks. Our schedule assumed that the installation of piping outside of the footprint of the tank could have been completed while the construction of the tank was ongoing, this did not occur and while some work was completed during the erection and construction of the tank, the majority of the pipework throughout the site was completed after the tank was complete.

DN Tanks & CalMart Enterprises continued working through the harsh winter which slowed progress, thus requiring additional time onsite. After working for 9 more weeks they successfully placed the new tank into service January 22, 2014 for a total of 24 weeks to Substantial Completion.

Additional Construction Observation Services

Within B&L's agreement with the City we assumed 20 weeks at an average of 24 hours a week or 480 hours. Due to the harsh weather, piping installation did not progress as fast as desired and as a result we spent over 650 hours onsite observing the installation of the tank and site work.

280 Broadway • Suite 12 • Newburgh, NY 12550
Telephone: 845-391-8360 • Facsimile: 845-391-8361 • www.BartonandLoguidice.com

If we would have continued at the average rate of 24 hrs/week this would have resulted in a total of 1,008 hours. Through our efforts to minimize the amount of time onsite, we saved the city over 350 hours of observation services. Therefore, we are requesting the following:

650 hours (total spent) – 480 hours (hours in contract) = 170 hours

170 hours x $84/hr (contracted rate) = $14,280

Additional Construction Administration Services

In addition to the time spent onsite, additional coordination was required between DN and the City for completion of the work. In our proposal, we assumed approximately $800/week in time spent administering the Construction Contract. With the duration of Construction extending to 42 weeks, this would equate to an additional 24 weeks. Given the minimized effort, although it required additional coordination, we were able to reduce the amount of time spent on these activities as well. We are requesting an additional 15 weeks of oversight bringing the total to 35 weeks instead of the full construction duration of 42 weeks, thus saving the City 7 weeks of additional services. Therefore, we are requesting the following:

15 weeks (number of weeks) x $800/wk (contracted rate) = $12,000

As a result of our efforts, we were able to save the City over $170,000 in construction costs and approximately $36,000 in additional engineering costs. At the time, it was believed that through minimizing our efforts we would be able to minimize the amount we would need to request for the additional services. We also believed there to be sufficient monies within the contract to cover these services. We are requesting the additional $26,280 to cover the costs associated with the above noted additional work.

Our Contract also included the time to bid and oversee the Ellis Ave and Brady Ave Rehabilitation Project. In addition, we assumed we would be bidding and overseeing only two contracts (Marne Tank Replacement and Ellis/Brady Tanks Rehabilitation). Due to the size and amount of the construction costs associated with the electrical portion of the rehabilitation, the electrical work had to be broken into a separate third contract. This contract will be bid at the same time as the rehabilitation work, but will require administration of a separate contract. At this time, through the authorization of this amendment, we believe we will be able to continue with the oversight of this work within our construction services scope.

Fee for Services

Barton & Loguidice, D.P.C. (B&L) requests an additional $26,280 to cover the costs associated with the additional effort expended during the Construction Phase of the Marne Avenue Replacement project. B&L proposes to bill for these services in accordance with our agreement. It is anticipated that these fees will be paid from the available project budget which currently has an available contingency of $240,444 including the deduct change order for Marne Ave.

Thank you for this opportunity to be of continued service to the City of Newburgh.

Very truly yours,

BARTON & LOGUIDICE, D.P.C.

Donald H. Fletcher
Vice President

ATE/ojf

AUTHORIZATION

Barton & Loguidice, D.P.C. is authorized to provide the additional services associated with the additional work described herein in accordance with the terms of our agreement.

Recommended by:

_____ _____
Mr. Jason Morris, P.E. Date
City Engineer, City of Newburgh

Approved as to Finances:

_____ _____
John Aber Date
City Comptroller

Approved as to Form:

_____ _____
Michelle Kelson Date
Corporation Council

Authorized:

_____ _____
James Slaughter Date
Interim City Manager

RESOLUTION NO.: 121 -2014

OF

MAY 12, 2014

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE STREET LIGHTING AUTHORITY ORDER WITH CH ENERGY GROUP, INC.

WHEREAS, it has become necessary to amend the Street Lighting Authority Order entered into with Central Hudson Gas & Electric Corporation n/k/a CH Energy Group, Inc., providing for the installation of LED 35 lamps on poles numbered 86130 through 86137, respectively, on E. Parmenter Street; and

WHEREAS, there will be a cost to the City of Newburgh of $9.76 per quarterly period for this change; and

WHEREAS, this Council finds that entering into the amendment to the Street Lighting Authority Order in support of Habitat for Humanity of Greater Newburgh's E. Parmenter Street Project is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Interim City Manager be and he is hereby authorized to execute the attached amendment to the Street Lighting Authority Order.

CENTRAL HUDSON GAS & ELECTRIC CORPORATION
610 LITTLE BRITAIN ROAD
NEW WINDSOR, NY 12553-6114
(845) 452-2700

STREET LIGHTING AUTHORITY ORDER

CITY OF NEWBURGH
83 BROADWAY
NEWBURGH NY 12550

ORDER NO.: H8-03251
ACCOUNT NO.: 8411-2080-00
DATE: 04/22/14

TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION:

YOU ARE HEREBY AUTHORIZED TO MAKE CHANGES SPECIFIED BELOW TO THE STREET LIGHTING SERVICE FOR THE CITY LGTG _____, IN ACCORDANCE WITH A RESOLUTION DULY ADOPTED AS PROVIDED BY LAW BY THE _____(COUNCIL/BOARD OF THE _____ OF _____ AT A MEETING HELD ON _____,20__ AS FOLLOW

ACTION:

INSTALL OR REMOVE	TYP & SIZE OF LAMP		POLE NO	RATE **	MAP & GRID	LOCATION	DATE COMPLETE	ADJ AMT
INSTALL	LED	35	86130	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86131	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86132	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86133	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86134	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86136	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86137	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86135	C		EAST PARMENTER ST		1.22

TAP ON 8 DEC LIGHTS ON E PARMENTER ST

** A. COMPANY OWNED AND MAINTAINED; ANNUAL OR SEASONAL SERVICE
** B. CUSTOMER OWNED/COMPANY MAINTAINED
** C. CUSTOMER OWNED/CUSTOMER MAINTAINED

THESE CHANGES ARE SUBJECT TO THE TERMS OF THE EXISTING STREET LIGHTING SERVICE CLASSIFICATIONS. DOES NOT INCLUDE THE COST OF ELECTRICITY.

MUNICIPALITY _____ BY _____

_____, 20 _____ TITLE _____

W.O.NO. 6686A DATE WORK COMPLETED _____ BY _____

RESOLUTION NO.: 121 -2014

OF

MAY 12, 2014

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE STREET LIGHTING AUTHORITY ORDER WITH CH ENERGY GROUP, INC.

WHEREAS, it has become necessary to amend the Street Lighting Authority Order entered into with Central Hudson Gas & Electric Corporation n/k/a CH Energy Group, Inc., providing for the installation of LED 35 lamps on poles numbered 86130 through 86137, respectively, on E. Parmenter Street; and

WHEREAS, there will be a cost to the City of Newburgh of $9.76 per quarterly period for this change; and

WHEREAS, this Council finds that entering into the amendment to the Street Lighting Authority Order in support of Habitat for Humanity of Greater Newburgh's E. Parmenter Street Project is in the best interests of the City of Newburgh and its further development;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the Interim City Manager be and he is hereby authorized to execute the attached amendment to the Street Lighting Authority Order.

CENTRAL HUDSON GAS & ELECTRIC CORPORATION
610 LITTLE BRITAIN ROAD
NEW WINDSOR, NY 12553-6114
(845) 452-2700

STREET LIGHTING AUTHORITY ORDER

CITY OF NEWBURGH
83 BROADWAY
NEWBURGH NY 12550

ORDER NO.: H8-03251
ACCOUNT NO.: 8411-2080-00
DATE: 04/22/14

TO CENTRAL HUDSON GAS & ELECTRIC CORPORATION:

YOU ARE HEREBY AUTHORIZED TO MAKE CHANGES SPECIFIED BELOW TO THE STREET LIGHTING SERVICE FOR THE CITY LGTG , IN ACCORDANCE WITH A RESOLUTION DULY ADOPTED AS PROVIDED BY LAW BY THE _____(COUNCIL/BOARD OF THE _____ OF _____ AT A MEETING HELD ON _____,20__ AS FOLLOW

ACTION:

INSTALL OR REMOVE	TYP & SIZE OF LAMP		POLE NO	RATE **	MAP & GRID	LOCATION	DATE COMPLETE	ADJ AMT
INSTALL	LED	35	86130	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86131	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86132	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86133	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86134	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86136	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86137	C		EAST PARMENTER ST		1.22
INSTALL	LED	35	86135	C		EAST PARMENTER ST		1.22

TAP ON 8 DEC LIGHTS ON E PARMENTER ST

** A. COMPANY OWNED AND MAINTAINED; ANNUAL OR SEASONAL SERVICE
** B. CUSTOMER OWNED/COMPANY MAINTAINED
** C. CUSTOMER OWNED/CUSTOMER MAINTAINED

THESE CHANGES ARE SUBJECT TO THE TERMS OF THE EXISTING STREET LIGHTING SERVICE CLASSIFICATIONS. DOES NOT INCLUDE THE COST OF ELECTRICITY.

MUNICIPALITY _____ BY _____

_____ , 20 _____ TITLE _____

W.O.NO. 6686A DATE WORK COMPLETED _____ BY _____

RESOLUTION NO.: 122 - 2014

OF

MAY 12, 2014

A RESOLUTION AMENDING THE 2014 CITY OF NEWBURGH PERSONNEL ANALYSIS BOOK AND AMENDING RESOLUTION NO.: 247-2013, THE 2014 BUDGET FOR THE CITY OF NEWBURGH, NEW YORK TO TRANSFER $100,146.00 FROM CHILD, YOUTH, FAMILY AND SENIOR CITIZEN PART-TIME SALARY AND BENEFITS TO THE RECREATION DEPARTMENT PART-TIME SALARY AND BENEFITS IN CONNECTION WITH FUNDING ONE PART-TIME RECREATION LEADER AND SIX SEASONAL PART-TIME RECREATION ATTENDANTS

WHEREAS, the Director of Recreation has advised that there are two part-time Group Leader positions and two part-time Education Specialist positions that currently exist within the Child, Youth, Family and Senior Citizen budget line, which are currently vacant; and

WHEREAS, the Director has further advised of the need to re-designate such positions to create one part-time permanent Recreation Leader and six seasonal part-time Recreation Attendants to assist with operations at Brown's Pond during the fishing season; and

WHEREAS, such positions would be created within the Recreation Department; and

WHEREAS, the re-designation and creation of such positions makes it necessary and appropriate to amend the 2014 City of Newburgh Personnel Analysis Book and Resolution No.: 247-2013, the 2014 Budget for the City of Newburgh, New York; and

WHEREAS, this Council has determined that such amendments are in the best interests of the City of Newburgh;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the 2014 Personnel Analysis Book be and hereby is amended in connection with funding one part-time Recreation Leader and six seasonal part-time Recreation Attendants and that Resolution No: 247-2013, the 2014 Budget of the City of Newburgh, is hereby amended as follows:

		Decrease	Increase
A.7310.0102:	Child, Youth, Family, Sr. Citizen Part-time Salary	$ 67,641.00	
A.7310.0810:	Retirement	$ 27,100.00	
A.7310.0830:	Social Security	$ 5,175.00	
A.7310.0835:	MTA	$ 230.00	
A.7140.0102:	Recreation Department Part-time Salary		$ 67,641.00
A.7140.0810:	Retirement		$ 27,100.00
A.7140.0830:	Social Security		$ 5,175.00
A.7140.0835:	MTA		$ 230.00
TOTAL:		Decrease	Increase
		$100,146.00	$100,146.00

RESOLUTION NO.: 123 - 2014

OF

MAY 12, 2014

A RESOLUTION ADOPTING THE CITY OF NEWBURGH
PARKING METER COIN COLLECTION POLICY AND PROCEDURE

BE IT RESOLVED, that the City Council of the City of Newburgh, New York hereby adopts the City of Newburgh Parking Meter Coin Collection Policy and Procedure, a copy of which is attached hereto and made a part of this Resolution; and

BE IT FURTHER RESOLVED, that this Policy shall take effect on May 15, 2014.

City of Newburgh
City Comptroller's Office

City Hall – 83 Broadway
Newburgh, New York 12550

Tel. (845) 569-7322
Fax (845) 569-7490

John J. Aber
City Comptroller
jaber@cityofnewburgh-ny.gov

DRAFT

TO: City Manager

FROM: John J. Aber, City Comptroller

DATE: April 14, 2014

SUBJECT: **Parking Meter Coin Collection**

I PURPOSE

The purpose of this memorandum is to set forth the policies and procedures for the collection and deposit of coins from the City's parking meters.

II GENERAL

The Office of the Comptroller will be responsible for ensuring compliance with this policy.

III COIN COLLECTION

Staff employed by the Department of Public Works will be responsible for the collection of coins on a weekly basis.

1. The Superintendent of Public Works will be responsible for creating a weekly collection schedule.

2. For audit purposes, two employees of the Department of Public Works (DPW) will be assigned to collect the coins.

3. Coins will be collected once a week. The day and time of collection will vary to reduce the risk of robbery.

4. The two DPW employees will open the meters and drop the coins into a security box.

5. Upon completion of the coin collection, the security box will be transported by the DPW employees to City Hall and placed in the Tax Collector's cash room.

6. The DPW employees will notify the Office of the Comptroller that the coins are delivered and ready to be opened.

7. The security box will be opened in the presence of the DPW employees and a representative from the Office of the Comptroller.

8. The coins will be moved from the security box into clear bank deposit bags by the DPW employees.

9. Once the deposit bags are filled, they will be sealed.

10. For each deposit bag filled and sealed, the representative from the Office of the Comptroller, will record in a log book the following:

    a. Date of transaction
    b. Names of DPW employees
    c. Name of Office of Comptroller Employee
    d. Bag ID Number
    e. All employees present will sign the log book

11. The coins in the deposit bags will remain in the cash room until the City's armored security company comes to pick up the coins.

12. The coins will be brought by the armored security company to TD Bank.

13. TD Bank will sign for the coins and count them for the City at no charge.

14. TD bank will prepare a deposit ticket on behalf of the City. The coins will be deposited into the City's Parking Meter account.

15. After the deposit is completed, TD bank will notify the Comptroller via email the amount deposited.

16. The Office of the Comptroller will record the amount deposited into the proper G/L account in KVS.

17. At the end of the month, the bank statements will be reconciled to ensure the deposits were recorded properly.

This policy takes effect May 15, 2014 and replaces all previous policies related to the collection of metered coins.

DRAFT

RESOLUTION NO.: 124 - 2014

OF

MAY 12, 2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBUGH CALLING ON THE GOVERNOR, THE NEW YORK STATE ASSEMBLY AND THE NEW YORK STATE SENATE TO ENACT THE "ABANDONED PROPERTY NEIGHBORHOOD RELIEF ACT OF 2014"

WHEREAS, in the wake of the financial crisis of 2008, there has been a marked increase in New York State in the incidence of vacant and abandoned residential properties securing delinquent mortgages, which properties frequently fall into disrepair, thus devaluing neighboring properties and harming the larger community; and

WHEREAS, these vacant and abandoned residential properties have become a blight in the City of Newburgh and in many similarly situated neighborhoods across New York State because the properties are often boarded up, dilapidated, unsafe, inhabited by squatters or used for criminal purposes; and

WHEREAS, an accumulation in a community of vacant and abandoned residential properties that are not properly secured or maintained for extended periods can cause a marked decline in that community's real estate market and the state's property tax base; and

WHEREAS, there are documented instances of such properties being used by criminals to manufacture and/or distribute illegal drugs, thus leading to an increased likelihood of crime in and around the property and neighboring community; and

WHEREAS, the City of Newburgh and similarly situated municipalities across New York State are often forced to expend taxpayer funds to prevent vacant and abandoned residential properties from becoming a public hazard, thereby depleting limited local resources; and

WHEREAS, the City of Newburgh and similarly situated municipalities across New York State are often forced to expend taxpayer funds to investigate and determine the ownership, occupancy and foreclosure status of vacant and abandoned residential properties in order to ensure that, where applicable, the mortgagee is complying with current obligations under Federal, State and/or local law to secure and maintain the property, thereby further depleting limited local resources; and

WHEREAS, relevant provisions of existing State law, enacted in 2009, governing the maintenance of abandoned residential properties impose a duty on plaintiff-mortgagees to maintain vacant residential properties only *after* a judgment of foreclosure and sale has been entered by a court; and

WHEREAS, this recent State law has in many instances proven inadequate to address the growing number of vacant and abandoned properties falling into disrepair in the City of Newburgh and in many similarly situated municipalities across New York State because many such properties are not subject to a pending foreclosure action, and many that are subject to a pending foreclosure have not proceeded, and will not in the foreseeable future proceed, to a court judgment of foreclosure and sale; and

WHEREAS, there is evidence showing that many current and former New York homeowners have been misled into believing they need to leave their homes earlier in the foreclosure process than the law actually requires, thus resulting in even more vacant and abandoned residential properties throughout our communities; and

WHEREAS, the "Abandoned Property Neighborhood Relief Act of 2014" would help the City of Newburgh and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by creating a statewide registry of such properties that can be electronically accessed by such municipalities; and

WHEREAS, the "Abandoned Property Neighborhood Relief Act of 2014" would help the City of Newburgh and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by imposing a duty on mortgagees and their loan servicing agents to promptly report these properties to the statewide registry and take earlier, *pre*-foreclosure, action to identify, secure and maintain such vacant and abandoned properties; and

WHEREAS, the "Abandoned Property Neighborhood Relief Act of 2014" would help the City of Newburgh and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by providing a much needed and readily available source of information on vacant and abandoned residential properties to local officials throughout the State; and

WHEREAS, the "Abandoned Property Neighborhood Relief Act of 2014" would help the City of Newburgh and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by also establishing a statewide toll-free hotline that community residents can use to report suspected vacant and abandoned properties to the Attorney General and receive information regarding the status of registered properties, including the identity of the mortgagee or agent responsible for maintaining them; and

WHEREAS, the "Abandoned Property Neighborhood Relief Act of 2014" would help the City of Newburgh and similarly situated municipalities and their residents across the State better address the growing problem of vacant and abandoned residential properties by ensuring that homeowners are provided with clear and early notice that they are legally entitled to remain in their homes until ordered to leave by a court;

NOW THEREFORE, BE IT RESOLVED, that We, the members of the City Council of the City of Newburgh respectfully call on the Governor, the New York State Assembly and the New York State Senate to promptly enact the "Abandoned Property Neighborhood Relief Act of 2014;" and

BE IT FURTHER RESOLVED, that certified copies of this resolution be sent to the Honorable Andrew M. Cuomo, Governor of the State of New York, Senator William J. Larkin, Jr. and Assemblyman Frank Skartados in connection with the City of Newburgh's support for the enactment of this legislation.

City of Newburgh Fire Department

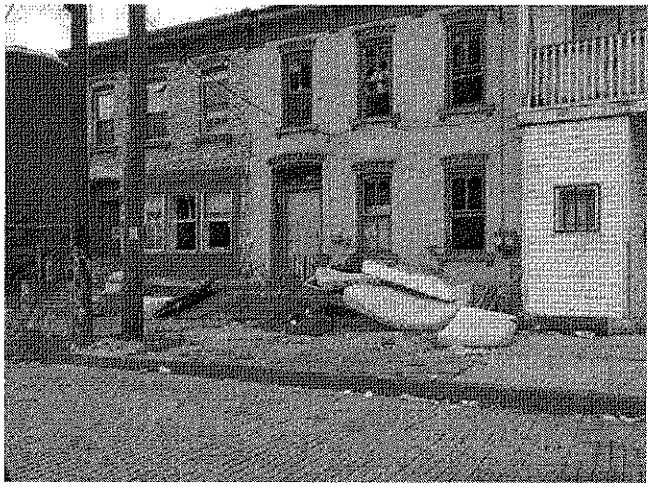
Mortgage Servicers and Vacant Properties

Michael J. Vatter, Fire Chief

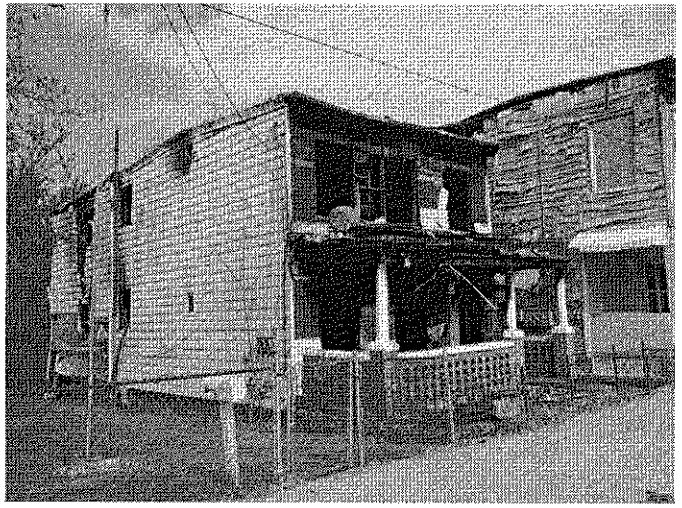
Scope of the Vacant Building Problem

- There are over 600 vacant and distressed properties in the City of Newburgh.
- Nearly 10% of the City's buildings are vacant
- We know that 160 of these properties are owned or managed by the mortgage and banking industry.
- There are probably more that are not registered.

Vacant properties are used as dumps



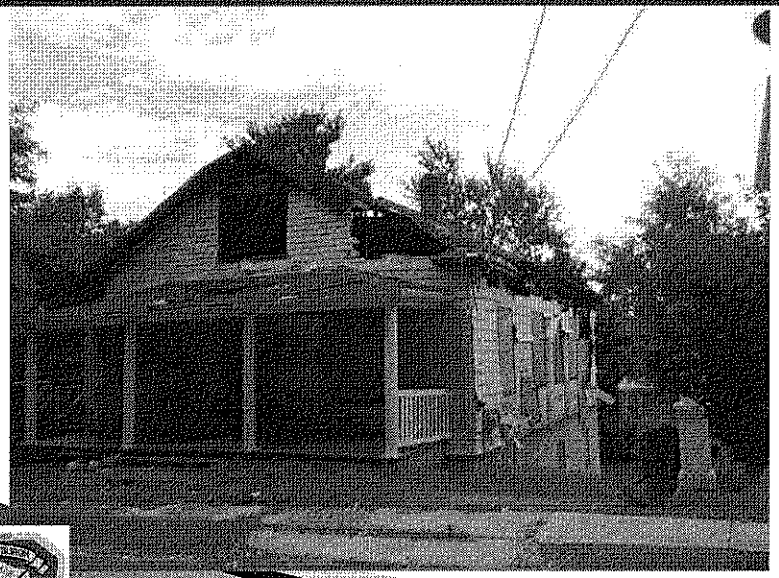
Or by squatters (Wells Fargo owns this one)



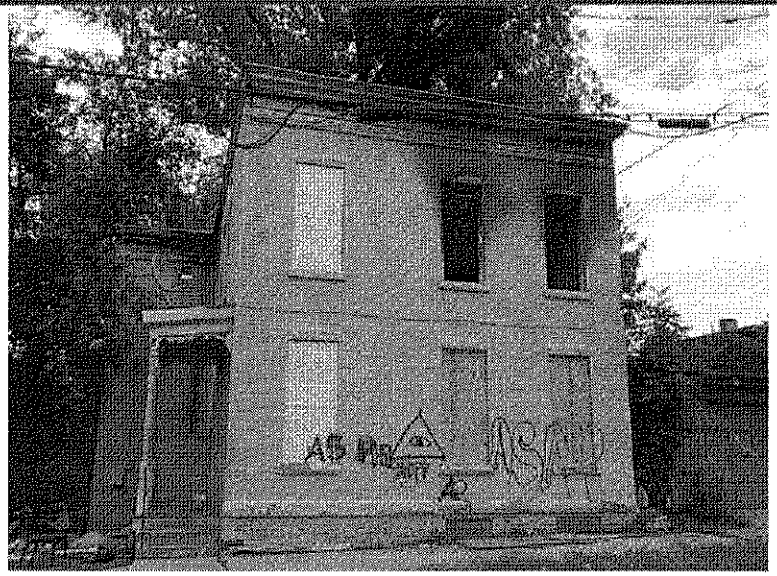
Destruction of property values

- Every vacant or abandoned building reduces the value of the adjacent properties by $7000.
- The 13 fire damaged properties listed on the next page have reduced the value of the surrounding properties by nearly $500,000

The Servicer Refuses to Remedy



Unlisted Vacant – Aurora Bank Forclosure



Address	Date of Fire	Bank/Servicer	Foreclosure Court Index No.:	Open Violations
161 Bay View	8/25/2013	Wells Fargo	7795/2010	0
110 Benkard	11/1/2012	BAC Home Loan Servicing	4534/2010	6
419 Carpenter	3/3/11	Wells Fargo/Wachovia	7042/2008	4
82 Carson	9/18/2012	One West/Deutche	9701/2009	4
187 Carson	10/9/2012	Total Mortg Solutions	?	13
32 City Te	8/16/11	Wells Fargo/ US Bank	14455/2009	1
14 Farrington	12/15/10	Wells Fargo/ HSBC	4141/2013	3
110 Liberty St	12/16/10	First American Tax Valuation	?	0
353 Liberty St	1/31/10	National City Mtg	3250/2009	1
11 Lincoln Te	7/9/10	Wells Fargo/ WAMU	3562/2002	2
8 Little Monument St	5/52/2013	Aurora Bank FSB	4878/2012	2
16 Maple St	12/16/11	Wells Fargo/HSBC	670/2012	4
322 Washington	9/8/13	Wells Fargo	9539/2009	5

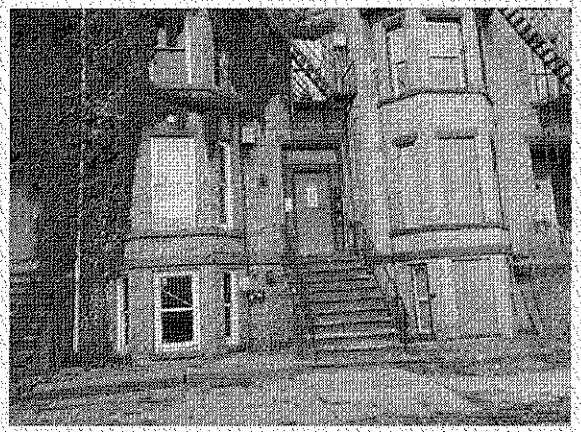
Fires in Vacant Bank Serviced Buildings

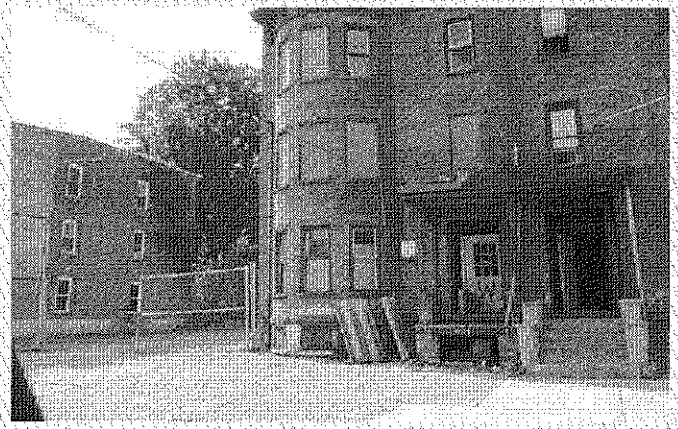
Address	Foreclosure Court Index No.	Number of Open Violations	Notes
28 Allison Ave	11015/2009	3	
75 Bay View Te	?	1	Fee Paid By Bank
161 Bay View Te	7795/2010	0	
53 Beacon St	5903/2008	0	
53 Benkard Av	7404/2009	1	
331 Carpenter Av	7922/2010	1	
419 Carpenter Av	7042/2008	4	
27 City Terr	6468/2008;7050/2008; 10862/2011	1	
32 City Terr	14455/2009	1	
14 Farrington St	4141/2013	3	
53 Farrington St	851/2010	0	
282 First St	9909/2012	0	
418 First St	2866/2009;2306/2009; 13114/10	2	

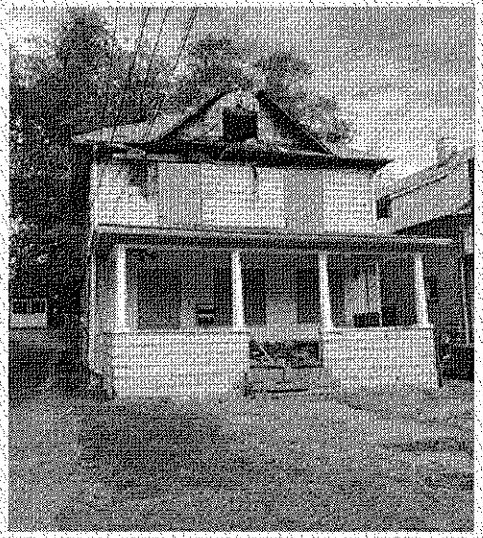
Wells Fargo Bank Foreclosures

Address	Foreclosure Court Index No.:	Number of Open Violations	Notes
25 Fowler Av	6432/2013	0	
121 Fullerton Av	?	0	Fee Paid By Bank
164 Grand St	14259/2009	1	
160 Lander St	?	0	Fee Paid By Bank
192 Lander St	9 foreclosure actions listed	0	
77 Liberty St	?	2	Fee Paid By Bank
11 Lincoln Te	3562/2002	2	
16 Maple St	670/2012	4	
72 Maple St	?	0	Fee Paid By Bank
131 Montgomery St	?	0	Fee Paid By Bank
163 North Miller St	?	0	Fee Paid By Bank
167 North Miller St	10042/2010	0	
253 Powell Ave	12840/2009	0	
324 Robinson Ave	?	2	Fee Paid By Bank
146 Third St	3379/2009	1	
322 Washington St	9359/2009	5	

Wells Fargo Bank Foreclosures

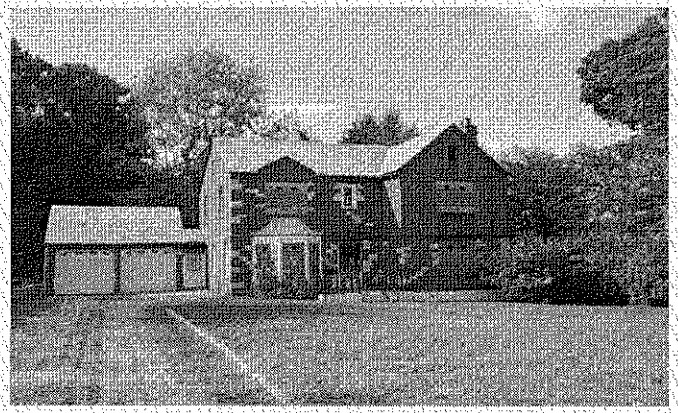






Newburgh's Mortgage Servicers

Washington Mutual
Wells Fargo
Countrywide
OCWEN Federal
Loanworks
Chase Manhattan
American Home Mrtg



Every one of these properties have been foreclosed by the lender, but remain in the mortgagor's name.

All of the properties identified in this document have had their Vacant Property Registration paid for by a mortgage servicer or bank.

RESOLUTION NO.: 125 - 2014

OF

MAY 12, 2014

A RESOLUTION TO REQUIRE APPRENTICESHIP TRAINING PROGRAMS FOR PUBLIC CONSTRUCTION CONTRACTS AWARDED BY THE CITY OF NEWBURGH

WHEREAS, current State law allows as a local option but does not compel any governmental entity that is a party to a construction contract for a public project to require that any contractors or subcontractors participate in apprenticeship training programs approved by the State Commissioner of Labor as provided under Article 23, Section 816-b et seq. of the Labor Law; and

WHEREAS, there is a long and productive history of partnership between labor and management for the training of skilled craft workers in our State which began over fifty (50) years ago when the United States Congress passed the Fitzgerald Act (29 USC Section 50) to encourage States to develop apprenticeship training programs; and

WHEREAS, the New York State Legislature adopted Article 23 of the New York Labor Law in 1961 to authorize the State Commissioner of Labor to develop standards for apprenticeship training and a process for certifying programs which meet said standards; and

WHEREAS, the promotion of apprenticeship training programs will expand the pool of skilled workers in the City of Newburgh and surrounding area by providing many residents the means to earn a decent living thereby fostering the local and regional economies; and

WHEREAS, by adopting apprenticeship requirements in the City of Newburgh it will increase career opportunities for minorities and those of female gender and ensure contractors awarded projects in the city of Newburgh are committed to training, education and safety; and

WHEREAS, the adoption of this resolution constitutes a Type II Action under the State Environmental Quality Review Act ("SEQRA") and the regulations promulgated thereunder;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Newburgh, New York that the City of Newburgh hereby establishes a policy to promote apprenticeship training as authorized by Section 816-b of the New York Labor Law; and

BE IT FURTHER RESOLVED, that "construction contract" shall mean any contract to which the City of Newburgh and its affiliated agencies shall be a principal party which involves the

construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition, or otherwise providing for any building, facility or physical structure of any kind, if the labor components, final assessed value, gross capitol cost and/or component of such contract or project be in excess of Two Hundred Fifty Thousand ($250,000.00) Dollars; and

BE IT FURTHER RESOLVED, that "contractor or subcontractor" shall mean a contractor or subcontractor which directly employs labor under a construction contract for which an apprenticeship program has been approved by the New York Labor Law; and

BE IT FURTHER RESOLVED, that the City of Newburgh hereby requires any contractor or subcontractor, prior to entering into a construction contract with the City of Newburgh in excess of $250,000.00, to have apprenticeship agreements, appropriate for the type and scope of work to be performed, which have been registered with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law anything in Section 103 of the New York General Municipal Law to the contrary notwithstanding; and

BE IT FURTHER RESOLVED, that the apprentice program must meet the following standards: has been in existence for two or more years, has a graduation rate of at least twenty (20%) percent, has a legitimate place of training or access to a legitimate place of training, and has graduated a minimum of two (2) apprentices in the previous two years; and

BE IT FURTHER RESOLVED, that the City of Newburgh is hereby authorized, empowered and directed to promulgate such rules and regulations necessary and appropriate for the implementation and enforcement of any provision of this resolution; and

BE IT FURTHER RESOLVED, if any clause, sentence, paragraph, subdivision, section or part of this resolution or application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this resolution or its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such judgment or order shall be rendered; and

BE IT FURTHER RESOLVED, that this Resolution shall apply to construction contracts advertised for bids after May 15, 2014.